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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/485,443	05/01/2000	WEI CHEN	Q57774	1926
7590 06/02/2004			EXAMINER	
SUGHRUE MION ZINN MACPEAK & SEAS 2100 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20037-3202			KING, JUSTIN	
			ART UNIT	PAPER NUMBER
			2111	

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



	Application No.	Applicant(s)			
Advisory Action	09/485,443	CHEN ET AL.			
Advisory Action	Examiner	Art Unit			
	Justin I. King	2111			
The MAILING DATE of this communication appe	ears on the cover sheet with the o	correspondence address			
THE REPLY FILED 18 May 2004 FAILS TO PLACE TH Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: ('condition for allowance; (2) a timely filed Notice of Appel Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this application (1) a timely filed amendment whi	cation. A proper reply to a ich places the application in			
PERIOD FOR RE	PLY [check either a) or b)]				
a) The period for reply expiresmonths from the mailing of the period for reply expires on: (1) the mailing date of this Adverse, the period for reply expire later the only check the statutory period for reply expire later the only check the statutory period for reply expire later the only check the statutory period for reply expire later the only check the statutory period for reply expire later that the only check the statutory period for reply expired the statutory of	risory Action, or (2) the date set forth in the an SIX MONTHS from the mailing date on FILED WITHIN TWO MONTHS OF THE terms on which the petition under 37 CFR 1.1 sion and the corresponding amount of the latest statutory period for reply originally set in	f the final rejection. E FINAL REJECTION. See MPEP 136(a) and the appropriate extension fee efee. The appropriate extension fee under the final Office action; or (2) as set forth in			
earned patent term adjustment. See 37 CFR 1.704(b). 1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.					
2. The proposed amendment(s) will not be entered because:					
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);					
(b) they raise the issue of new matter (see Note below);					
(c) they are not deemed to place the application i issues for appeal; and/or	n better form for appeal by mat	erially reducing or simplifying the			
(d) they present additional claims without cancel NOTE:	ing a corresponding number of	finally rejected claims.			
3. Applicant's reply has overcome the following rejec	tion(s):				
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a s	eparate, timely filed amendment			
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.					
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.					
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.					
The status of the claim(s) is (or will be) as follows:					
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration:					
8. ☐ The drawing correction filed on is a) ☐ app	roved or b) ☐ disapproved by	the Examiner.			
9. Note the attached Information Disclosure Statemen	nt(s)(PTO-1449) Paper No(s)	- 1/11/2			
9. Note the attached Information Disclosure Statement 10. Other: 10. Other: S. Patent and Trademark Office PTOL-303 (Rev. 11-03) Advisor		XUAN M. THAI PRIMARY EXAMINER TCZIOO			
S. Patent and Trademark Office PTOL-303 (Rev. 11-03) Advisor	ory Action	Part of Paper No. 16			

U.S. Patent and Trademark Office PTOL-303 (Rev. 11-03)

Continuation of 5. does NOT place the application in condition for allowance because:

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See In re McLaughlin, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

As Applicant states, the standard does suggest arranging nodes of th same speed adjacent to one aonther; thus the standard suggests arranging nodes with same speed as the parent node and child node. Furthermore, since the child node's speed is capped by the parent node's speed when they have different speed capabilties, and each parent node can attach to several child nodes, a higher speed parent node is capable of supporting and optimizing several child nodes with several different speeds. Hence, the standard implicitly teaches the arranagement.

Applicant argues that Douceur does not teach connecting ports. Douceur is applied to support the bandwidth reservation in the parent node, thus, the parent node must have a higher bandwidth to support the isochronous transmission. Regarding to Gorin, Applicant does not provide any argument other than merely states Gorin's teaching is not applicable along with Douceur.

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